

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The final Office Action dated May 30, 2008 has been received and its contents carefully reviewed.

Claims 1-18 are hereby amended. No claims are canceled. No claims are added. Accordingly, claims 1-18 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

Claims 1-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0167845 to Corn et al. (hereinafter "*Corn*") in view of U.S. Patent Application Publication No. 2004/0039685 to Hambrecht et al. (hereinafter "*Hambrecht*"). *Office Action* at p. 5. Applicants respectfully traverse the rejection and request reconsideration.

Independent claim 1 is allowable over *Corn* in view of *Hambrecht* in that claim 1 recites a combination of elements including, for example, "a computerized system for trading financial products between at least one buyer and at least one seller, comprising: ... information of a frequency with which said buyer has accessed said computerized system, information of a frequency with which buyer has viewed said financial product, and information of whether said buyer has viewed detailed information about said financial product." Applicants respectfully submit that neither *Corn* nor *Hambrecht*, singularly or in combination teach or suggest this feature.

The Office purports that *Corn* discloses a "bidder as user in pricing the products" and "[i]t depends on the frequency of the bidders viewing the search products then price of the product is price[d] accordingly." *Office Action* at p. 3. Applicants respectfully disagree.

Corn discloses that "a minimum price per click for a [search] term ... is determined by creating search volume tiers." *Corn* at ¶ [0007]. Thus, the price is determined by the creation of the search volume tiers and not the frequency of the bidders viewing the search products as suggest by the Office. As pointed out by the Office, *Corn* teaches that the "search volume tiers are created by partitioning search terms based upon the volume of searches on each search term."

Office Action at p.3. In other words, the volume of searches performed on a particular search term is used to partition the search terms in the search volume tier. As also pointed out by the Office, *Corn* teaches that “liquidity tiers are created by partitioning search terms in each price per click tier by liquidity (e.g. number of bidders for a particular search term).” *Office Action* at p.3. Thus, the number of bidders for a particular search term is used to partition the search terms in the liquidity tier. Applicants respectfully submit that neither the volume of searches performed nor the number of bidders for a particular search term can be construed as “information of a frequency with which said buyer has accessed said computerized system, information of a frequency with which buyer has viewed said financial product, and information of whether said buyer has viewed detailed information about said financial product,” as suggested by the Office. Thus, *Corn* does not teach the features of independent claim 1.

Hambrecht fails to cure the deficiencies of *Corn*. Indeed the Office only relied upon *Hambrecht* to disclose “a computerized system for trading products between at least on buyer and at least one seller.” *Office Action* at p. 6. Accordingly, none of the cited references, singly or in combination, teaches or suggests “a computerized system for trading financial products between at least one buyer and at least one seller, comprising: ... information of a frequency with which said buyer has accessed said computerized system, information of a frequency with which buyer has viewed said financial product, and information of whether said buyer has viewed detailed information about said financial product,” as recited in independent claim 1.

Independent claim 15 is allowable over *Corn* in view of *Hambrecht* in that claim 15 recites a combination of elements including, for example, “A computerized system for trading financial products between at least one buyer and at least one seller, comprising: ... a bid likelihood indicator for the buyer based on the buyer’s likelihood of entering a bid on a financial product.” Applicants respectfully submit that neither *Corn* nor *Hambrecht*, singularly or in combination teach or suggest this feature.

As pointed out by the Office, *Corn* discloses that a “form of advertising has been to allow vendors to bid for a particular position in a search result.” *Office Action* at p. 4. *Corn* also teaches that “vendors can be positioned in a search result depending upon their various bids.” *Corn* at ¶ [0002]. Thus, a vendors position in the search results depends on the vendors bid. *Corn* is entirely silent as to any teaching or suggestion concerning “a bid likelihood indicator for

the buyer based on the buyer's likelihood of entering a bid on a financial product," as recited in independent claim 15.

Hambrecht fails to cure the deficiencies of *Corn*. As stated above, the Office only relied upon *Hambrecht* to disclose "a computerized system for trading products between at least one buyer and at least one seller." *Office Action* at p. 6. Accordingly, none of the cited references, singly or in combination, teaches or suggests "A computerized system for trading financial products between at least one buyer and at least one seller, comprising: ... a bid likelihood indicator for the buyer based on the buyer's likelihood of entering a bid on a financial product," as recited in independent claim 15.

For at least these reasons, Applicant respectfully requests that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claims 1 and 15. Claims 2-14 depend from independent claim 1 and claims 16-18 depend from independent claim 15. It stands to reason that the 35 U.S.C. §103(a) rejection of those dependent claims should be withdrawn as well.

The application is in condition for allowance. Early and favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: **October 30, 2008**

Respectfully submitted,

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